IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated: Nainital the 14th day of November 2003

Bail application No 847 of 2003

Order on the bail application of accused.

CRIMINAL SIDE

Chandra Shekhar S/o Moti Ram
R/O village Pashya Tok Kodar Patti
Bhadra Kot, Tehsil Dhari
District Nainital ..... Applicant.

Versus

State of Uttaranchal ……Opposite Party.

Arising out of case crime No. 5/2003
U/Ss 376/506 I.P.C.
Patti Bhadra Kot
District – Nainital.

By the court

Hon'ble Irshad Hussain, J.

Heard Sri Nand Prasad, learned counsel for the applicant and learned A.G.A.

The prosecutrix in major and it has been argued on behalf of the applicant-accused that as per the allegations of the F.I.R. itself she was a consenting party. In view of the allegations made in the F.I.R. and considering the totality of the circumstances of the case the bail application is allowed.

The applicant accused Chandra Shekhar shall be released in crime No.5/2003 under section 376/506 I.P.C. Patti Bhadra Kot District Nainital on his executing a personal bond and two sureties each in the like amount to the satisfaction of C.J.M.Nainital.

(Irshad Hussain, J.)

Dated: 14.11.2003
ISB